



CITY OF SURPRISE
Regular City Council Meeting
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, December 17, 2019 @ 6:00PM

Call To Order

Invocation

Led by Jon Cavaletto.

Roll Call

Mayor Hall called to order the Regular City Council Meeting of December 17, 2019 at 6:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Members; Duffy, Hayden, Judd and Sanders and Remley.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

[Andrew Frazier, Principal at Sonoran Heights Elementary School.](#)

[Surprise Police Department Explorer Program - Postponed until a later date.](#)

[Youth Council reports.](#)

Reports:

1. Sonoran Heights Elementary School and Youth Council Members will be providing a report pertaining to current Youth events and projects.Â Â

2. Surprise Police Department Explorer program recognition.

City Clerk Report

Call To The Public

Coral Herndon - Domestic Violence victim and homeless. A resident of Surprise for many years, harassed and laughed at by Surprise cops. They labeled me as a mental health patient, taking away my rights. Tortured for 9 years straight. Please help me help myself, I would like an appointment to speak to someone in private.

Joe Clure - Representing the Police Association and will be the only one speaking today, but wanted to make clear for the record the Fire department is here as well. I am assuming that you have heard or seen the letter that has been sent to the board, the letter expresses some of our same concerns. The Board has a right to independent Council and have a right to vote in their own Secretary. The Board has had 6 attorneys over the past few years. The City Attorney has released the attorneys without the consent of the board and without authority. There is a possibility of a conflict of interest with the Mayor serving on the boards. The simple solution we offer, we recommend reconstitute the local boards and obey the law. We stand ready to work with the City on this issue.

Regular City Council Meeting Agenda

CONSENT AGENDA:

Vice Mayor Winters made the motion to approve the consent agenda excluding item #10. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

3. Consideration and action to approve a request by Huong Tran, Agent/Owner for a Series 12 (Restaurant) liquor license for CHILL'D TEA LOUNGE located at 14071 W. Bell Road, Suite 103, Surprise, Arizona 85374 - APPROVED

4. Consideration and action to approve a request by Jeffrey Craig Miller, Agent/ for a Series 12 (Restaurant) liquor license for Angry Crab Shack located at 11340 W. Bell Road, 118A, Surprise, Arizona 85374 - APPROVED

5. Consideration and action on the minutes of December 3, 2019 Regular City Council Work Session and Regular City Council Meeting - APPROVED

6. Consideration and action pertaining to formally accepting the donations associated with the Veterans Reflection Circle, Capital Project P61540; Resolution #2019-37 - APPROVED

7. Consideration and action declaring the City's intention of establishing the street light improvement district known as, " City of Surprise, Arizona, SU-City Center 01 187 Lighting Improvement District" pursuant to A.R.S. Â§ 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Texas Rangers Housing Facility Street Lighting Improvement District;Â Resolution #2019-143 - APPROVED

8. Consideration and action declaring the City's intention to establish the street light improvement district known as, "City of Surprise, Arizona, SU-175th and Cactus 186 Lighting Improvement District" pursuant to A.R.S. Â§ 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks;Â Resolution #2019-136 - APPROVED

9. Consideration and action pertaining to approval of a Streetlight Maintenance Agreement between the City of Surprise and Westcor Surprise RSC, LLC, in order to provide lighting along Prasada Parkway and Alexandria Way, south of Waddell within the Prasada Development; Resolution #2019-99 - APPROVED

10. Consideration and action pertaining to approval of the Final Plat entitled, "Bell Pointe II - North and Tract LL of Bell Pointe I Plat" and dated November 11, 2019, a 7.69 acre property generally located north of Bell Road and east of Bell Pointe Boulevard - POSTPONED INDEFINITELY

Council Member Judd made the motion to postpone item #10 indefinitely. Council Member Hayden seconded the motion. Seven yes vote, motion carried.

11. Consideration and action pertaining to approval of the Final Plat entitled, "Loop 303 and Bell Road" and dated October 24, 2019, a 5.91 acre property located generally north of Bell Road and west of Loop 303, in the Community Commercial (CC) zoning district - APPROVED

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

12. Presentation and discussion pertaining to Public-Private Partnerships - NO ACTION

[Jeanine Jerkovic and Kendra Pettis gave a powerpoint presentation on this item. Current projects and upcoming and proposed projects were reviewed.](#)

[Mayor Hall - Wyoming and Arizona are the only states that don't have a TIF. The legislature is considering this next year.](#)

[Council Member Sanders - I like options, so this was very informative. It's about the City bringing something to the table as well. Looking at the City assets right now, do we have anything to position ourselves to look at this option.](#)

[Ms. Pettis commented that yes the City does have assets to offer, and we are looking at how we can bring additional partners to the table.](#)

[Council Member Sanders asked for clarification around the gift clause. How do you value and determine this?](#)

[Ms. Jerkovic gave an explanation on how this works.](#)

[Vice Mayor Winter's when are we going to get a White Castle in Surprise?](#)

[Council Member Remley questioned cost adjustment arrangements with Ottawa University.](#)

[Council Member Judd one theme that you seem to touch on in the examples is land. This is something that we have to plan for in the future. As far as the gift clause goes, aren't there some watch dog groups out there that keep us in line?](#)

[Ms. Jerkovic - that is correct, one is the Goldwater Group. Jeanine further commented that Council doesn't give themselves enough credit, there has been so much vision set over the past couple of years.](#)

[Council Member Duffy commented that when the Recreation Center was removed from the bond, we have totally outgrown our current facilities and we need to take a look at this. The aquatic center is over crowded and have outgrown our facilities.](#)

[Mayor Hall, glad that Council Member Sanders asked for this item, we only have so](#)

many resources but we need to prioritize our future projects with the amount of growth we are experiencing.

13. Presentation and discussion pertaining to a possible amendment to Sec. 2-298 of the Surprise Municipal Code reducing the number of members of the Veterans, and human services commission through attrition - NO ACTION

Hobie Wingard, Attorney's Office gave a powerpoint presentation on this item.

Vice Mayor Winters asked to have this item added to the agenda to line up with all the other boards and commissions. Would like to add disabled, or relatives of disabled as an added change.

Council Member Remley commented that when the committee was created we added more members because they were going to have a lot of responsibility.

Seth Dyson answered the question about attendance. He further commented that this subject was brought up at the last meeting and there was no discussion.

Council Member Sanders asked what will happen when the number of members reduces to 7, is there an application process?

City Attorney Wingo verified that this board follows what all other boards and commission process outlined in the City code.

Council Member Judd asked Seth Dyson what work load is distributed to members, what is the workload? Do we have a lot of interest from our residents?

Yes, many applications on file for future vacancies.

Council Member Judd asked what types of projects are they working on? Mr. Dyson gave an overview of topics being worked on right now.

Council Member Duffy commented that when he first saw this, what is wrong? Now I am hearing there is nothing wrong with this commission. If there is nothing wrong, then why fix it!

Mayor Hall commented that he understands the attorneys explanation with the size of a board over 7 members. I think the Chair does a good job with running the meeting. Weren't the members involved in the Community Assessment plan?

Council Member Remley I have attended a few of their meetings, this is a commission that we just put together recently with multitasks. I can see where they are going to have some things coming up.

Council Member Hayden I thought we were taking the number down to have consistency, I find when you have a smaller group it runs smoother. Now that I have heard the explanations, I think we should continue with the current amount since it is working and there are many volunteers wanting to serve.

14. Consideration and action pertaining to approval of the Shared Active Transportation Vehicle (SATV) Pilot Program Temporary Operating Agreement with Slidr, LLC - APPROVED

[Lloyd Abrams gave a brief powerpoint presentation on this item.](#)

[Council Member Judd presumably these guys will all follow the same rules if approved.](#)

[Mr. Abrams commented that this is correct and can be cancelled if problems.](#)

Council Member Sanders made the motion to approve the SATV Pilot Program. Vice Mayor Winters seconded the motion. Five yes votes, two no votes (Hall and Remley), motion carried.

Other Business and Future Agenda Items

City Council Reports

Vice Mayor Winters made the motion to recess the Regular City Council Meeting and enter into Executive Session at 7:30 PM. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Executive Session

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Meeting of December 17, 2019 at 8:35 PM. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

15. Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice pertaining to potential litigation pursuant to A.R.S 38-431.03 (A)(3).

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council

Meeting of **Tuesday, December 17, 2019.**

Sherry Ann Aguilar, City Clerk, MMC